

## Albano, Emily

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**From:** Cheever, Robert  
**Sent:** Monday, September 08, 2014 9:04 AM  
**To:** HertzWu, Sara  
**Subject:** FW:  
**Attachments:** Ex. 7\_2004-08-20\_EPA\_ltr\_DNR\_RE\_CAM.pdf

Sara,

I think these are all the CAM documents from my Lotus Notes Archive.

Bob

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**From:** Robert Cheever [mailto:Cheever.Robert@epamail.epa.gov]  
**Sent:** Monday, September 08, 2014 9:02 AM  
**To:** Cheever, Robert  
**Subject:**

----- Forwarded by Robert Cheever/R7/USEPA/US on 09/08/2014 09:01 AM -----

From: Doug Hardesty/R10/USEPA/US@EPA  
To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>  
Date: 06/16/2010 11:50 AM  
Subject: Re: [permit] CAM applicability/ initial permit

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I agree with Roger to a point. If the addition of the MACT would have been a reopening but not a significant mod, then it does not trigger the need for CAM. If, however, the existing permit monitoring, recordkeeping or reporting is being revised at the same time as (and possibly because of) the MACT addition or the source must modify its equipment to accommodate or comply with MACT, I have no qualms about an agency requiring CAM in the updated application. In many cases, there will be a judgement call to make; if the agency can justify applying CAM due to other, simultaneous permit changes, I say go for it.

Doug Hardesty  
Title V & FARR Air Permits  
U.S. EPA Region 10  
1435 N Orchard St  
Boise, ID 83706  
208.378.5759

From: Roger  
Kohn/R9/USEPA/US@EPA

To: "Air Permit Exchange"  
<[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>

Date: 06/16/2010 09:50  
AM

Subject: Re: [permit] CAM applicability/ initial  
permit

Grecia,

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Roger Kohn  
USEPA Region 9 - Air Division (AIR-3)  
75 Hawthorne Street  
San Francisco, CA 94105-3901  
Phone 415-972-3973  
Fax: 415-947-3579

From: Grecia Castro/RTP/USEPA/US@EPA  
To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>  
Date: 06/16/2010 07:41 AM  
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Have you dealt with a situation where CAM was deemed applicable to a large unit (at initial permitting) on account of changes to a complete application under the following circumstances:

facility includes a large PSEU  
application was found to be complete before April 20 1998

before the permit was drafted the facility became subject to a newly promulgated MACT standard affecting the large PSEU facility revised the application to include the applicable requirement permitting authority determined the revisions to the application "include a change of a type that would have been subject to the significant permit revision process." See highlighted text below.

Part 70 does not address a second completeness determination of an application after it has been determined to be complete, but CAM suggests that some changes to the application require a second completeness determination.

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§ 64.1 Definitions.

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§ 64.5 Deadlines for submittals.

(a) Large pollutant-specific emissions

units. For all pollutant-specific emissions units with the potential to emit (taking into account control devices to the extent appropriate under the definition of this term in § 64.1) the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, the owner or operator shall submit the information required under § 64.4 at the following times:

(1) On or after April 20, 1998, the owner or operator shall submit information as part of an application for an initial part 70 or 71 permit if, by that date, the application either:

(i) Has not been filed; or

(ii) Has not yet been determined to be complete by the permitting authority.

(2) On or after April 20, 1998, the owner or operator shall submit information as part of an application for a significant permit revision under part 70 or 71 of this chapter, but only with respect to those pollutant-specific emissions units for which the proposed permit revision is applicable.

(3) The owner or operator shall submit any information not submitted under the deadlines set forth in paragraphs (a)(1) and (2) of this section as part of the application for the renewal of a part 70 or 71 permit.

(b) Other pollutant-specific emissions units. For all other pollutant-specific emissions units subject to this part and not subject to § 64.5(a), the owner or operator shall submit the information required under § 64.4 as part of an application for a renewal of a part 70 or 71 permit.

(c) The effective date for the requirement to submit information under § 64.4 shall be as specified pursuant to paragraphs (a)-(b) of this section and a permit reopening to require the submittal of information under this section shall not be required pursuant to § 70.7(f)(1)(i) of this chapter, provided, however, that, if a part 70 or 71 permit is reopened for cause by EPA or the permitting authority pursuant to § 70.7(f)(1)(iii) or (iv), or § 71.7(f) or (g), the applicable agency may require the submittal of information under this section for those pollutant-specific emissions units that are subject to this part and that are affected by the permit reopening.

(d) Prior to approval of monitoring that satisfies this part, the owner or

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of § 70.6(a)(3)(i)(B).  
§ 64.6 Approval of monitoring

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(a) Large pollutant-specific emissions units. For all pollutant-specific emissions units with the potential to emit (taking into account control devices to the extent appropriate under the definition of this term in § 64.1) the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, the owner or operator shall submit the information required under § 64.4 at the following times:

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§ 64.6 Approval of monitoring

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Date: 06/16/2010 10:50 AM

Subject: Re: [permit] CAM applicability/ initial permit

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§ 64.6 Approval of monitoring

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Date: 06/16/2010 12:07 PM  
Subject: Re: [permit] CAM applicability/ initial permit

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We are looking at the issue in the context of a petition, but want

to know how it would have normally been handled thru permitting. Also, in a document titled 2nd Set of Frequently Asked Questions and Responses Concerning Implementation of the CAM RuleEPA clarified the situation with the following example:

Question 18. A source owner has submitted a permit application before April 20, 1998 and has received a completeness determination but no title V permit. If, before a permit is issued, a source owner makes a change that involves a large PSEU (a unit whose post control emissions exceed the major source threshold) and that would be considered significant under part 70 if a permit had been issued, would the large PSEU be subject to the CAM rule?

Response 18. Yes, the large PSEU would become subject to the CAM rule if the change could potentially affect the unit's compliance status and if the change is owner-initiated. Not all changes that would require a significant permit revision trigger CAM rule applicability. The types of changes that could trigger CAM rule applicability include source owner- or operator initiated physical changes such as increasing production rate, changing to a new fuel or raw material, adding a new process line or control device, increasing the load on the control device by routing additional process exhaust to it, changing the control device, installing new monitoring systems, or changing process or weight rates. Note that submission of supplementary facts, corrected information, or additional information as to new requirements, as those terms are used in 40 CFR sections 70.5(a)(2) and 70.5(b), after receipt of a completeness determination would not trigger CAM rule applicability.

Question

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| From:      |
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| Doug
Hardesty/R10/USEPA/US@EPA
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| To:      |
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Boise, ID 83706  
208.378.5759

From: Roger Kohn/R9/USEPA/US@EPA  
  
To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>  
  
Date: 06/16/2010 09:50 AM  
  
Subject: Re: [permit] CAM applicability/ initial permit

Grecia,

Have not come across that situation. But I question the PA's determination that the application update includes "a change of a type that would have been subject to the significant permit revision process." What minor mod gatekeeper kicks this type of change into the significant mod track? If permit had been issued, a new applicable requirement could trigger a reopening, if 3 or more years remain on permit term. Reopenings are initiated by PAs, and don't require applications, i.e. they are not permit mods. My take is that the source was fulfilling its duty to update its application when new information became available, but that the applicability of a new applicable requirement does not constitute a change that would have required a significant mod. I'm curious to hear what others think though...

Roger Kohn  
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75 Hawthorne Street  
San Francisco, CA 94105-3901  
Phone 415-972-3973  
Fax: 415-947-3579

From: Grecia Castro/RTP/USEPA/US@EPA  
To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>  
Date: 06/16/2010 07:41 AM  
Subject: [permit] CAM applicability/ initial permit

Have you dealt with a situation where CAM was deemed applicable to a large unit (at initial permitting) on account of changes to a complete application under the following circumstances:

facility includes a large PSEU  
application was found to be complete before April 20 1998  
before the permit was drafted the facility became subject to a newly promulgated MACT standard affecting the large PSEU  
facility revised the application to include the applicable requirement  
permitting authority determined the revisions to the application  
"include a change of a type that would have been subject to the significant permit revision process." See highlighted text below.

Part 70 does not address a second completeness determination of an application after it has been determined to be complete, but CAM suggests that some changes to the application require a second completeness determination.

-----  
70.5(a)(2) Complete application. The program shall provide criteria and



procedures for determining in a timely fashion when applications are complete... Information ...must be sufficient to evaluate the subject source and its application and to determine all applicable requirements... Unless the permitting authority determines that an application is not complete within 60 days of receipt of the application, such application shall be deemed to be complete, except as otherwise provided in §70.7(a)(4) of this part. If, while processing an application that has been determined or deemed to be complete, the permitting authority determines that additional information is necessary to evaluate or take final action on that application, it may request such information in writing and set a reasonable deadline for a response. The source's ability to operate without a permit, as set forth in §70.7(b) of this part, shall be in effect from the date the application is determined or deemed to be complete until the final permit is issued, provided that the applicant submits any requested additional information by the deadline specified by the permitting authority.

70.5 (b) Duty to supplement or correct application. ... an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

....  
70.7(a)(4) The permitting authority shall promptly provide notice to the applicant of whether the application is complete. Unless the permitting authority requests additional information or otherwise notifies the applicant of incompleteness within 60 days of receipt of an application, the application shall be deemed complete. For modifications processed through minor permit modification procedures, such as those in paragraphs (e) (2) and (3) of this section, the State program need not require a completeness determination.

...  
(b) Requirement for a permit. ... no part 70 source may operate after the time that it is required to submit a timely and complete application under an approved permit program, except in compliance with a permit issued under a part 70 program. The program shall provide that, if a part 70 source submits a timely and complete application for permit issuance (including for renewal), the source's failure to have a part 70 permit is not a violation of this part until the permitting authority takes final action on the permit application, except as noted in this section. This protection shall cease to apply if, subsequent to the completeness determination made pursuant to paragraph (a)(4) of this section, and as required by §70.5(a)(2) of this part, the applicant fails to submit by the deadline specified in writing by the permitting authority any additional information identified as being needed to process the application.

-----  
§ 64.1 Definitions.

...  
Part 70 or 71 permit application shall mean an application (including any supplement to a previously submitted application) that is submitted by the owner or operator in order to obtain a part 70 or 71 permit.

-----  
There are two circumstances where information must be submitted prior to

the next permit renewal application. First, if the owner or operator submits an application for a significant permit modification after April 20, 1998, the owner or operator must submit the appropriate part 64 information for any pollutant-specific emissions unit(s) covered by the modification. This requirement will assure that significant permit revisions affecting particular emissions units are not considered in a piecemeal fashion and that part 64 is implemented as quickly as reasonably practicable. In response to comments on the 1996 part 64 Draft, the Agency has limited this provision to only significant permit revisions so that part 64 requirements will not impede permit revisions made under expedited permit revision processes, such as administrative amendments, notice only changes, or de minimis permit revision procedures that are under consideration by the Agency. Second, if the permit application has been found complete but the permit has not issued, and the owner or operator proposes to revise the application to include a change of a type that would have been subject to the significant permit revision process, had the permit been issued, then the owner or operator must include part 64 required information for the pollutantspecific emissions unit(s) identified in the application revision. This circumstance triggers part 64 implementation because this type of permit application revision would require a second completeness determination by the permitting authority, and the implementation provision of § 64.5(a)(1)(ii) would be applicable.

#### § 64.5 Deadlines for submittals.

(a) Large pollutant-specific emissions units. For all pollutant-specific emissions units with the potential to emit (taking into account control devices to the extent appropriate under the definition of this term in § 64.1) the applicable regulated air pollutant in an amount equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source, the owner or operator shall submit the information required under § 64.4 at the following times:

(1) On or after April 20, 1998, the owner or operator shall submit information as part of an application for an initial part 70 or 71 permit if, by that

date, the application either:

(i) Has not been filed; or  
(ii) Has not yet been determined to be complete by the permitting authority.

(2) On or after April 20, 1998, the owner or operator shall submit information as part of an application for a significant permit revision under part 70 or 71 of this chapter, but only with respect to those pollutant-specific emissions units for which the proposed permit revision is applicable.

(3) The owner or operator shall submit any information not submitted under the deadlines set forth in paragraphs (a)(1) and (2) of this section as part of the application for the renewal of a part 70 or 71 permit.

(b) Other pollutant-specific emissions units. For all other pollutant-specific emissions units subject to this part and not subject to § 64.5(a), the owner or operator shall submit the information required under § 64.4 as part of an application for a renewal of a part 70 or 71 permit.

(c) The effective date for the requirement to submit information under § 64.4 shall be as specified pursuant to paragraphs (a)-(b) of this section and a permit reopening to require the submittal of information under this section shall not be required pursuant to § 70.7(f)(1)(i) of this chapter, provided, however, that, if a part 70 or 71 permit is reopened for cause by EPA or the permitting authority pursuant to § 70.7(f)(1)(iii) or (iv), or § 71.7(f) or (g), the applicable agency may require the submittal of information under this section for those pollutant-specific emissions units that are subject to this part and that are affected by the permit reopening.

(d) Prior to approval of monitoring that satisfies this part, the owner or operator is subject to the requirements of § 70.6(a)(3)(i)(B).

§ 64.6 Approval of monitoring

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----- Forwarded by Robert Cheever/R7/USEPA/US on 09/08/2014 09:01 AM -----

From: Doug Hardesty/R10/USEPA/US@EPA  
To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>  
Date: 07/30/2010 10:41 AM  
Subject: Re: [permit] CAM applicability

---

I think I have given states similar advice; that is, that only the original application, significant permit revision and renewal are the only times a source needs to submit CAM information. So, in the very-old application revision example below, we would not require CAM. I have heard the opinion that if the application supplement/revision was the equivalent of a significant permit revision had the permit been issued, then the source should submit CAM information; but, while well-intended, I don't think the rule supports that and we (R10) were not willing to push our states in that direction.

Doug Hardesty  
Title V & FARR Air Permits  
U.S. EPA Region 10  
1435 N Orchard St  
Boise, ID 83706  
208.378.5759

From: Yolanda  
Adams/R4/USEPA/US@EPA

To: "Air Permit Exchange"  
<[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>

Date: 07/30/2010 08:38  
AM

Subject: Re: [permit] CAM  
applicability

Genevieve,

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Yolanda V. Adams  
Environmental Engineer  
Air Permits Section  
APTMD  
U.S. EPA Region 4  
61 Forsyth Street, SW  
Atlanta, GA 30303  
Phone (404) 562-9214  
Fax (404) 562-9019

From: Genevieve Damico/R5/USEPA/US@EPA

To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>

Date: 07/29/2010 04:55 PM

Subject: [permit] CAM applicability

I am working on a response to a petition to object that alleges that CAM is applicable. Here is the timeline:

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(The permitting authority is considering this application an update)

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Has anyone made a determination about CAM applicability when the initial Title V permit was issued over 11 years after the trigger date for CAM? Or when a significantly modified application was submitted after the CAM trigger date?

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From: Bonnie Braganza/R6/USEPA/US@EPA  
To: "Air Permit Exchange" <[permit@lists.epa.gov](mailto:permit@lists.epa.gov)>  
Date: 07/30/2010 01:55 PM  
Subject: Re: [permit] CAM applicability

---

Does the State have conditions on a permit application being complete?. Was that approved in the T5 program?  
POSITIONS or VIEWS EXPRESSED DO NOT REPRESENT OFFICIAL EPA POLICY

Bonnie Braganza  
US EPA Region 6  
Air Permits Section  
Multimedia Permitting & Planning Division  
Phone: 214-665-7340  
Fax: 214-665-6762

Remember Life Rewards Actions!

And if you continue to do what you have always done, you will get what you always got!

**Re: [permit] CAM applicability**

**Grecia Castro**

to:

Air Permit Exchange

07/30/2010

Yolanda is right as far as what the part 64 and part 70 rules require. The preamble language and subsequent clarification in the Q&A appear to insert a part 70 requirement for a second completeness determination, for certain facility projects, which is not clearly in the rules. It requires certain interpretation to get there.

-----David Talley/R3/USEPA/US@EPA wrote: -----

To: "Air Permit Exchange" <permit@lists.epa.gov>  
From: David Talley/R3/USEPA/US@EPA  
Date: 07/30/2010 11:18AM  
Subject: Re: [permit] CAM applicability

We have a very similar situation here in R3. For us, the issue comes down to whether or not the changes to the application made after the initial completeness determination would have been subject to the significant permit revision process, had a permit been issued.

From the preamble to the CAM rule:

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In our case, we don't think the changes were subject. If they had been, it looks like CAM would apply.

From: Yolanda Adams/R4/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>

Date: 07/30/2010 10:39 AM  
Subject: Re: [permit] CAM applicability

---

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Yolanda V. Adams  
Environmental Engineer  
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APTMD  
U.S. EPA Region 4  
61 Forsyth Street, SW  
Atlanta, GA 30303  
Phone (404) 562-9214  
Fax (404) 562-9019

From: Genevieve  
Damico/R5/USEPA/US@EPA

To: "Air Permit Exchange"  
<permit@lists.epa.gov>

Date: 07/29/2010 04:55  
PM

Subject: [permit] CAM  
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Or when a significantly modified application was submitted after the CAM  
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To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 07/30/2010 10:35 AM  
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From: David Talley/R3/USEPA/US@EPA

To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 07/30/2010 10:19 AM  
Subject: Re: [permit] CAM applicability

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Atlanta, GA 30303  
Phone (404) 562-9214  
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From: Genevieve  
Damico/R5/USEPA/US@EPA

To: "Air Permit Exchange"  
<permit@lists.epa.gov>

Date: 07/29/2010 04:55  
PM

Subject: [permit] CAM  
applicability

I am working on a response to a petition to object that alleges that CAM is applicable. Here is the timeline:

applicable requirement	1996 - complete application was submitted 1998 - All new applications must include CAM as an
(The permitting authority is considering this application an update)	2003 - Facility changed ownership 2007 - a "new" application was filed by the new owners
	2009 - final permit issued.

Has anyone made a determination about CAM applicability when the initial Title V permit was issued over 11 years after the trigger date for CAM? Or when a significantly modified application was submitted after the CAM trigger date?

---

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From: Yolanda Adams/R4/USEPA/US@EPA

To: "Air Permit Exchange" <permit@lists.epa.gov>

Date: 07/30/2010 09:38 AM

Subject: Re: [permit] CAM applicability

---

Genevieve,

We made a determination in Region 4, with the help of Peter Westlin, for a source who submitted a complete application before the 1998 deadline, but whose permit was not issued until 2009. We determined that CAM did not apply.

Part 64 regulations are very clear and state that CAM applies at renewal time or if there is a modification to the permit. Even though the facility had made several modifications throughout the years and obtained construction permits for those modifications, since there was not an initial title V permit in existence, and therefore no permit to modify, CAM did not apply.

Yolanda V. Adams  
Environmental Engineer  
Air Permits Section  
APTMD  
U.S. EPA Region 4  
61 Forsyth Street, SW  
Atlanta, GA 30303  
Phone (404) 562-9214  
Fax (404) 562-9019

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Damico/R5/USEPA/US@EPA

To: "Air Permit Exchange"  
<permit@lists.epa.gov>

Date: 07/29/2010 04:55  
PM

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applicability

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- 1996 - complete application was submitted
- 1998 - All new applications must include CAM as an applicable requirement
- 2003 - Facility changed ownership
- 2007 - a "new" application was filed by the new owners (The permitting authority is considering this application an update)
- 2009 - final permit issued.

Has anyone made a determination about CAM applicability when the initial Title V permit was issued over 11 years after the trigger date for CAM? Or when a significantly modified application was submitted after the CAM trigger date?

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From: Paul Wentworth/R3/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 05/25/2011 07:39 AM  
Subject: [permit] CAM Applicability

---



A chemical plant has (3) cumene process units. They each vent to their own charcoal adsorbers and then they vent to a catalytic oxidizer along with some distillation columns. In addition, some aldehyde drums vent directly to the catox, some are routed to one of the charcoal adsorbers and then to the catox. The catox, with of these different sources venting to its inlet, achieves the 96.5% control by itself and has lbs/hr and tons/yr emission limits at its outlet. None of the 3 process units have any limits associated with them. Only one of the process units has precontrol emissions that are 100% of the PTE Threshold.

Is CAM triggered for the catox?

Paul T. Wentworth P.E.  
Sr. Environmental Engineer  
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215-814-2183

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From: Jeff Herring/RTP/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 05/26/2011 08:59 AM  
Subject: Re: [permit] CAM Applicability

---

I think this answer part of the question:

Does CAM apply to multiple sources vented to one control device? CAM applies to pollutant specific emissions units. The rule appears to be written such that it envisions one source vented to one control device, however, the answer depends on how the applicable requirement is structured. What this means is that if an emissions limit applies to each individual processing unit (e.g., coater), then each coater is a PSEU regardless of whether the emissions are ducted to a common control device or to separate control devices. On the other hand, if the emissions from the collection of woodworking processes (e.g., saws, planers, shapers, sanders) are subject to a single facility emissions limit, then the collection of processes (e.g., an entire room

or building) is the PSEU whether the emissions are routed to a common control device or to separate control devices.

Also, I don't think CAM is appropriate for assuring compliance with annual mass quantification standards (e.g., a limit that cap emissions at 99/tpy) as many PTE limits are structured in minor NSR permits of old (and maybe recently) because there is no way for parameter monitoring to assure compliance with such limits -- only direct mass emissions measurement methods would do this. This is only an opinion and maybe not so clear in the CAM rule itself.

Also, remember, I am no expert on this.

919-541-3195

Jeff Herring, Environmental Scientist  
US Environmental Protection Agency,  
Office of Air Quality Planning and Standards  
Operating Permits Group

From: Bonnie  
Braganza/R6/USEPA/US@EPA

To: "Air Permit Exchange"  
<permit@lists.epa.gov>

Date: 05/25/2011 06:54  
PM

Subject: Re: [permit] CAM  
Applicability

If the process units all vent to a common control device and one unit meets the precontrol source threshold ( that as indicated below is 100% PTE) ) in 64. 2(a)(3), then it is possible that CAM applies to CATOX.

POSITIONS or VIEWS EXPRESSED DO NOT REPRESENT OFFICIAL EPA POLICY

Bonnie Braganza  
US EPA Region 6  
Air Permits Section  
Multimedia Permitting & Planning Division  
Phone: 214 -665-7340  
Fax: 214-665-6762

Remember Life Rewards Actions!

And if you continue to do what you have always done, you will get what you always got!

From: Kaushal Gupta/R5/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 05/25/2011 11:45 AM  
Subject: Re: [permit] CAM Applicability

Only that process unit whose precontrol emissions is greater than or equal to the major source threshold could trigger CAM, and if it does not have any applicable limits or emission standards that the catox is helping it meet, I'd say CAM is not triggered.

Kaushal Gupta  
Region 5

From: Paul Wentworth/R3/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 05/25/2011 07:40 AM  
Subject: [permit] CAM Applicability

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To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 05/25/2011 05:54 PM  
Subject: Re: [permit] CAM Applicability

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Region 5

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From: Cynthia Kaleri/R6/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 09/16/2011 08:41 AM  
Subject: Re: [permit] CAM Applicability

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Different operating modes should be well delineated and most importantly considered during design of their compliance testing program and subsequently specified in their permit(s). If they are burning Haz Waste and just change the secondary fuel, that should have been a part of the test program design considerations, but the HWC MACT would apply. When not in the Haz Waste operating mode, they should still have to meet other CAA applicable requirements ... such as a cement kiln being required to meet the Portland Cement Kiln MACT requirements during their non-haz waste firing mode. Hope this helps.

Cynthia J. Kaleri (6EN-AA)  
United States Environmental Protection Agency  
1445 Ross Avenue - Dallas, TX 75202-2733  
Phone: 214-665-6772

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From: Mike Gordon/R3/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>



Date: 09/15/2011 07:40 AM  
Subject: [permit] CAM Applicability

---

Hi All,

I am reviewing a title V permit renewal submitted by one of our states in R3 and a CAM applicability question came up. The facility has two kilns that process lightweight aggregate. They meet the three criteria for CAM, but the state is claiming they are exempt from CAM for PM under 64.2(b) because they combust hazardous waste and are subject to the HWC MACT (Subpart EEE), which has limits for PM. However, the MACT ONLY applies when they are combusting hazardous waste, which is the primary fuel, but the facility has the ability to fire residual oil, diesel fuel, and any combination of the three. Also, there is a lb/hr PM limit from the states SIP.

My initial inclination is that because the kilns meet the three criteria they need to have a CAM plan for when they are not firing hazardous waste, but I am far from certain. Any thoughts?

Mike Gordon  
Environmental Engineer  
EPA Region III  
Office of Permits & Air Toxics 3AP10  
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From: Joel Huey/R4/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 09/15/2011 08:16 AM  
Subject: Re: [permit] CAM Applicability

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I agree they need to have a CAM plan and disagree with the facility they are exempt. We've responded to such questions in the past as follows:

The CAM rule applies to each pollutant-specific emissions unit that is at a major source required to have a part 70/71 permit and that meets the three criteria at 64.2(a)(1) - (3) (subject to an emission limit, uses a control device to comply, and has pre-control emissions greater than the major threshold).

Pursuant to at 64.2(b)(1), post-1990 federal standards are excluded from consideration under the first of those criteria. The exemption of these emission limitations and standards from CAM is not an exemption for entire units. Only those emission limitations and standards listed in 64.2(b)(1) are eligible, in any way, for exemption from the CAM rule. Note in particular the 64.2(b)(1)(i) exemption for "[e]mission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." This exemption should not be interpreted to apply to any standards other than those NSPS and MACT standards proposed by the Administrator after November 15, 1990.

For example, a non-exempt standard (e.g., a particulate matter emission limit from a SIP, NSPS or NSR permit) that applies to a unit does not become exempt from CAM just because the unit becomes subject to a post-November 15, 1990, federal standard (e.g., a MACT) that regulates the same pollutant(s), regardless of the relative stringency of those applicable requirements. (Note, however, that post-November 15, 1990, federal standards may contain "presumptively acceptable monitoring" for non-exempt standards, as provided at 64.4(b)(4).)

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From: Bonnie Braganza/R6/USEPA/US@EPA  
To: "Air Permit Exchange" <permit@lists.epa.gov>  
Date: 09/15/2011 08:50 AM  
Subject: Re: [permit] CAM Applicability

---

You are correct. Monitoring should cover all operating scenarios. The flexibility for these different operations was the flexible permit 2009? rule for AOS and ARM

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Bonnie Braganza  
US EPA Region 6

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Hi All,

I am reviewing a title V permit renewal submitted by one of our states in R3 and a CAM applicability question came up. The facility has two kilns that process lightweight aggregate. They meet the three criteria for CAM, but the state is claiming they are exempt from CAM for PM under 64.2(b) because they combust hazardous waste and are subject to the HWC MACT (Subpart EEE), which has limits for PM. However, the MACT ONLY applies when they are combusting hazardous waste, which is the primary fuel, but the facility has the ability to fire residual oil, diesel fuel, and any combination of the three. Also, there is a lb/hr PM limit from the states SIP.

My initial inclination is that because the kilns meet the three criteria they need to have a CAM plan for when they are not firing hazardous waste, but I am far from certain. Any thoughts?

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----- Forwarded by Robert Cheever/R7/USEPA/US on 09/08/2014 09:01 AM -----

From: Jon Knodel/R7/USEPA/US  
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Cc: Robert Patrick/R7/USEPA/US@EPA, Robert Cheever/R7/USEPA/US@EPA  
Date: 04/03/2012 07:30 AM  
Subject: Significant vs. 70% Compliance Margin CAM Letter

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Attached is the August 20, 2004, letter referenced by WashU in its AmerenUE-Sioux petition related to the compliance margin necessary for a CAM plan

(See attached file: *Ex. 7\_2004-08-20\_EPA\_ltr\_DNR\_RE\_CAM.pdf*)

The language at issue in the petition appears in the highlighted section below:

Neither of the two previously described options is required, although they do have the advantage of significantly streamlining plan development and approval. Associated Electric has proposed a third option, which has been referred to as a "Test and Cap" approach. (We have avoided using this terminology because we believe it is misleading since no actual emissions 'cap' is established.) We favor a more comprehensive approach, such as one that relies on a combination of opacity and secondary power values (e.g., secondary voltage and current). However, we recognize that opacity as measured with a COMS can be an effective monitoring tool for ESPs to satisfy part 64 requirements *with proper justification* (e.g., justification for selection of opacity trigger/excursion percentage, averaging time). **To justify the use of COMS alone, the margin of compliance should be significant. For example, a PM emissions to opacity level correlating to a 70 percent margin of compliance would be acceptable.**

On April 21, 2003, EPA posted a "Proposed CAM Protocol for ESP Controlling PM Emissions from a Coal Fired Boiler" at <http://www.epa.gov/ttn/emc/cam/espcam.pdf#page=6>.

The relevant section is highlighted below:

You will establish the opacity indicator range at a level equal to or less than an opacity at which the source has demonstrated a margin of compliance with the PM emissions limit of at least 10 percent at normal operating conditions. In other words, an opacity level at which, based on the available data, the ESP computer model's efficiency output represents a reasonable assurance of compliance with the PM emissions limit. For example, you may select the opacity indicator range based on the average of all of the 6-minute average opacity values measured during the ESP model calibration testing (using only the opacity data from test runs for which the PM emissions were less than the PM emissions limit). **Alternatively, you could select the opacity indicator range as an hourly average opacity less than or equal to the highest opacity value observed during emissions testing that showed a margin of compliance with the PM limit of at least 10 percent. You should not select an opacity higher than the maximum opacity you observed during the calibration test program.**

I don't recall how Harriett at the 70% figure, or whether it could have been a typo (e.g. a handwritten "1" mistaken for a "7"), but its clear that if she meant "70" it was a gross exaggeration of other CAM guidance available at the time. Given the serious contradiction and lack of any other reference or support for the 70% margin of compliance made in our April, 2004 comments, we should probably acknowledge that our statement simply wasn't agency policy at the time and can't be relied on for the purpose of objecting to a Title V permit.

If you have any questions, please let me know.

Jon